

**COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

**2008 Legislative Session**

Legislative Day #\_\_\_\_

**BILL NO.** 2008-13

**Introduced by:** Charles County Commissioners

**Date introduced:** 09/17/2008

**Public Hearing:** 10/22/2008 @ 2:00 p.m.

**Commissioners Action:**   /  /   \_\_\_\_\_

**Commissioner Votes:** WC:\_\_\_\_, EP:\_\_\_\_, RC:\_\_\_\_, SG:\_\_\_\_, GH:\_\_\_\_

**Pass/Fail:** \_\_\_\_\_

**Effective Date:**   /  /  

**Remarks:** \_\_\_\_\_

**COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

**2008 Legislative Session**

Bill No. 2008-13

Chapter. No. 297

Introduced by Charles County Commissioners

Date of Introduction 09/17/2008

**BILL**

AN ACT concerning

**SITE DESIGN AND ARCHITECTURAL REVIEW**

FOR the purpose of

Amending the Zoning Ordinance Regulations by removing the SDARB as the implementing agency for Single Family Dwelling and Commercial and Industrial Guidelines and Standards and establishing said review as a staff function.

BY repealing and reenacting with amendments:

Chapter 297 - Zoning Regulations

Article XVI, §88 – Rural zones

*Code of Charles County, Maryland*

(June, 2006 Edition)

Chapter 297 - Zoning Regulations  
Article VI, §89 - Village zones.  
*Code of Charles County, Maryland*  
(June, 2006 Edition)

Chapter 297 - Zoning Regulations  
Article VI, §91 - Commercial zones.  
*Code of Charles County, Maryland*  
(June, 2006 Edition)

Chapter 297 - Zoning Regulations  
Article VI, §92 - Industrial zones.  
*Code of Charles County, Maryland*  
(June, 2006 Edition)

Chapter 297 - Zoning Regulations  
Article VII, §108 - Planned Employment and Industrial Park (PEP) Zone.  
*Code of Charles County, Maryland*  
(June, 2006 Edition)

Chapter 297 - Zoning Regulations  
Article VII, §110 - Design guidelines and requirements.  
*Code of Charles County, Maryland*  
(June, 2006 Edition)

Chapter 297 - Zoning Regulations  
Article XVIII, §298 - General site design standards  
*Code of Charles County, Maryland*  
(June, 2006 Edition)

**SECTION 1.** BE IT ENACTED BY THE COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as follows:

**Chapter 297**

**Zoning Regulations**

**§ 297-88. Rural zones.**

E(1)(c) Any development which receives an increase in maximum permitted development density, through restoration of the base zone that applied to the subject property immediately prior to the establishment of the RC(D) zone, shall be subject to review and approval by the Site Design and Architectural Review [Board] **STAFF PLANNER** in accordance with § 297-298 of the Charles County Zoning Ordinance.

E(2)(c) Any development which receives an increase in maximum permitted development density, through restoration of the base zone that applied to the subject property immediately prior to the establishment of the RC(D) zone, shall be subject to review and approval by the Site Design and Architectural Review [Board] **STAFF PLANNER** in accordance with § 297-298 of the Charles County Zoning Ordinance.

**§ 297-89. Village zones.**

D. [The] Site Design and Architectural Review [Board (SDARB) approval] of site plans and buildings for all commercial construction in the CV zone must be obtained. All new construction, renovation and expansion projects shall comply with all applicable sections of the **SITE DESIGN AND ARCHITECTURAL** commercial and industrial guidelines and standards. Projects that do not

add more than 2,000 SF of gross floor area or alter more than 25% of the building facade or site area are exempt. The guidelines and standards shall conform to appropriate planning principles and to the purposes stated for the CV zone.

**§ 297-91. Commercial zones.**

- D. [The] Site Design and Architectural Review [Board (SDARB) approval] of site plans and buildings for all commercial construction in the CN, CC, CB and BP zones must be obtained. All new construction, renovation and expansion projects shall comply with all applicable sections of the **SITE DESIGN AND ARCHITECTURAL** commercial and industrial guidelines and standards. Projects that do not add more than 2,000 SF of gross floor area or alter more than 25% of the building facade or site area are exempt. The guidelines and standards shall conform to appropriate planning principles and to the purposes stated for the specific zone.

**§ 297-92. Industrial zones.**

- E. [The] Site Design and Architectural Review [Board (SDARB)] approval of site plans and buildings for all commercial construction in the IG and IH zones must be obtained. All new construction, renovation and expansion projects shall comply with all applicable sections of the **SITE DESIGN AND ARCHITECTURAL** commercial and industrial guidelines and standards. Projects that do not add more than 2,000 sf of gross floor area or alter more than 25% of the building facade or site area are exempt. the guidelines and standards shall conform to appropriate planning principles and to the purposes stated for the specific zone.

**§ 297-110. Design guidelines and requirements.**

A. [The Charles County Architectural and Site Design Review Board (Review Board) is authorized to develop and recommend for approval by the Commissioners] the site design and architectural (SDA) guidelines to guide the implementation of this article and the approval of development in the PRD, MX, PUD, TOD, PEP, and WPC zones. The SDA guidelines shall conform to appropriate planning principles and to the purposed stated for the specific zone.]

[B]A. The SDA guidelines direct design decisions for development in the PRD, MX, PUD, TOD, PEP, and WPC zones. An application for the approval of a general development plan set forth in §297-104 or a preliminary plan for development within and existing PRD, MX, PUD, TOD, PEP, and WPC zones shall include a proposed design code to set standards for layout and design in the proposed planned development that is in conformance with the SDA guidelines. An applicant's design code shall be reviewed and approved under the procedures in Subsection [C]B below.

[C]B. Design code.

(1) An application for a general development plan or a preliminary plan for development within an existing PRD, MX, PUD, TOD, PEP, or WPC zone shall be accompanied by a design code, prepared by the applicant, to supplement and modify the minimum standards required in conventional subdivision. The design code shall conform to the SDA guidelines and shall include the following: the overall planned development design concept; standards for street, block and lot layouts; streetscape design standards; building and lot design standards; landscape standards for public and private spaces; and architectural design standards.

- (2) The [Review Board] **SITE DESIGN AND ARCHITECTURAL REVIEW STAFF PLANNER (SDAR)** shall decide whether the design code proposed by the applicant conforms to the SDA guidelines.
- (3) Once a completed application is filed, the [Planning Director] **SDA R PLANNER** shall convene a meeting [of the Review Board. At the meeting,] **WITH** the applicant [shall present] **TO DISCUSS** the development proposal, including the proposed design code. After the initial meeting, the applicant shall submit a revised proposal to conform to comments or suggestions [from the Review Board]. [After submission of the revised proposal, the Review Board shall reconvene to] **THE SDA R PLANNER SHALL** review the proposal[, after which it shall] **AND** submit a final report to the Planning Commission. As part of [its] **THE** report, the [Review Board] **SDAR PLANNER** shall include the approved design code for use by the Planning Commission in the review and approval of the general development plan or preliminary plan, as applicable.
- (4) In approving a design code, the [Review Board] **SDAR PLANNER** shall be guided by the SDA guidelines, the purposes of the planned development zone, the orderly development of the existing PRD, MX, PUD, TOD, **PEP**, and WPC zones and the other provisions of this article.

**§297-298. General site design standards.**

- A. The applicant shall submit a site analysis of the characteristics of the development site, such as site context, geology and soil, topography, climate, natural features, visual features, past and present use of the site, historic features, existing vegetation, structures and road networks.
- B. The Charles County Site Design and Architectural [Review Board (SDARB) is authorized to develop and recommend for approval by the commissioners] single

family dwelling and commercial and industrial guidelines and standards [to]  
**SHALL** guide:

1. The approval of preliminary plans and architectural elevations for all single family subdivisions in the RL, RM, RH, RO, RR, PRD, MX, PUD, WPC, TOD, PEP, [and] PMH, **CER, CRR, AND CRM** zones that are greater than 10 lots and within sewer service areas S-1, S-3, S-5.
2. The approval of site plans and buildings for all commercial construction in the CV, CN, CC, CB, BP, IG, [and] IH, **CER, CRR, AND CRM** zones. All new construction, renovation and expansion projects shall comply with all applicable sections of the commercial and industrial guidelines and standards. Projects that do not add more than 2,000 sf of gross floor area or alter more than 25% of the building facade or site area are exempt. The guidelines and standards shall conform to appropriate planning principles and to the purposes stated for the specific zone.



**SECTION 2.** BE IT FURTHER ENACTED, that this Act shall take effect ten (10) calendar days after it becomes law.

COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND

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Wayne Cooper, President

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Edith J. Patterson, Vice President

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Ruben B. Collins, III

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Samuel N. Graves, Jr.

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Gary V. Hodge

ATTEST:

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Denise Ferguson, Clerk